

LAW OFFICE OF PATRICK CALHOUN  
PATRICK CALHOUN, ESQ. (BAR #56671)  
10797 Ridgeview Way  
San Jose, CA 95127  
Telephone: (408) 722-8099  
E-mail: [calhounonekgatty@aol.com](mailto:calhounonekgatty@aol.com)

Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA**

In re:	)	Case No.: 12-56050 SLJ
	)	
Auto Care Mall of Fremont, Inc.,	)	Chapter 11
	)	
Debtor.	)	Date: April 4, 2013
	)	Time: 10:00 a.m.
	)	Place: 280 South First Street, Courtroom 3099
	)	San Jose, CA
	)	Judge: Hon. Stephen L. Johnson

**MOTION TO DISMISS BANKRUPTCY CASE  
AND FOR MISCELLANEOUS RELIEF**

TO: THE HONORABLE STEPHEN L. JOHNSON, UNITED STATES BANKRUPTCY JUDGE;  
CREDITORS; AND EQUITY SECURITY HOLDERS:

Auto Care Mall of Fremont, Inc. ("Debtor"), by and through its attorney of record, hereby moves the Court pursuant to Bankruptcy Code Sections 502, 305 and 1112(b) and Rules 1017 and 3007 of the Federal Rules of Bankruptcy Procedure for an order granting the following relief:

1. Dismissing the Debtor's bankruptcy case conditioned upon the payment of accrued and unpaid fees payable to the United States Trustee and Debtor's undisputed and unpaid administrative expenses and unsecured claims no later than seven (7) days after entry of an order dismissing the Chapter 11 case; and

2. Retaining jurisdiction following dismissal for the limited purpose of determining the fees and costs due to the Court approved professionals.

This Motion is based on the Memorandum In Support of Motion to Dismiss Bankruptcy Case and for Miscellaneous Relief and the Declaration of Daniel Duc In Support of Motion to

1 Dismiss Bankruptcy Case and for Miscellaneous Relief.

2 Dated: March 13, 2013

LAW OFFICES OF PATRICK CALHOUN

3

4

By: /s/ Patrick Calhoun

5

Patrick Calhoun, Esq.

Attorneys for Debtor

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25